

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

14 WRIT PETITION NO. 8306 OF 2014

SHRIRANG KHANDERAO JODTALE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. V. D. Gunale, Advocate for the Petitioner.

Mr. K. N. Lokhande, AGP for Respondent-State.

Mr. S. S. Thombre and Mr. A. N. Irpatgire,
Advocates for the Respondent No.3.

Mr. U. B. Bondar, Advocate for the Respondent No.2.

Mr. Manish P. Tripathi, Advocate for the Respondent
No.4.

...

**CORAM : S. V. GANGAPURWALA &
S. M. GAVHANE, JJ.**

DATED : 27th SEPTEMBER, 2018.

PER COURT:-

1. The petitioner claims salary from January 2012 on the ground that he was appointed as an Assistant Teacher.

2. The learned counsel for the petitioner submits that during the interregnum he was orally terminated. The petitioner filed an Appeal before the School Tribunal. The Appeal is allowed. The proposal is submitted to the Education Officer for approval.

3. According to the respondents, the petitioner was not appointed. The order of the School Tribunal is challenged before the learned Single Judge of this Court and the said writ petition is pending.

4. According to the respondents the report of the Deputy Director is placed on record, which states that no proposal was ever received in respect of the petitioner.

5. The matter would involve disputed question of facts. The petitioner may approach the Education Officer (Primary). The Education Officer shall hear all the concerned parties and peruse the record, so also the report of the Deputy Director of Education, the orders of the Court and shall take decision upon the entitlement of the petitioner preferably within a period of six (06) months.

6. All contentions of the respective parties kept open.

7. Writ Petition is disposed of. No costs.

(S. M. GAVHANE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/September-18

Devendra
Nandkumar
Kale

Digitally signed
by Devendra
Nandkumar Kale
Date: 2018.09.28
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